



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/720,014

11/24/2003

Noriaki Matsui

CANO:100

2788

37013 7590 01/24/2008  
ROSSI, KIMMS & McDOWELL LLP.  
P.O. BOX 826  
ASHBURN, VA 20146-0826

EXAMINER

ROBINSON, MYLES D

ART UNIT

PAPER NUMBER

2625

MAIL DATE

DELIVERY MODE

01/24/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/720,014	Applicant(s) MATSUI ET AL.	
	Examiner Myles D. Robinson	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 24 - 31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 24, 28 and 30 is/are rejected.
- 7) ☒ Claim(s) 25 - 27, 29 and 31 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/24/2003, 8/18/2006, 9/15/2006</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Information Disclosure Statement*

2. The examiner has considered the references listed in the Information Disclosure Statement (IDS) submitted on 11/24/2003, 8/18/2006 and 9/15/2006 (see attached PTO-1449).

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claim 24** is rejected under 35 U.S.C. 102(b) as being anticipated by **Hashimoto** (Japanese Patent No. 11-174910).

Referring to **claim 24**, Hashimoto discloses an image forming apparatus comprising:

a job storage device that stores a job input by a user (see *Drawing 4, RAM 404 [paragraph 0015]*),

an adjustment item-detecting device (see *Drawing 4, CPU 401 in conjunction with RAM 404*) that detects items of adjustment for the apparatus from contents of at least one job stored in the job storage device (see *Drawings 7(A) and 8, step S2 [paragraph 0020]*),

a display device (see *Drawing 2 wherein LCD screen 202 displays the screen shown in Drawing 7 [paragraph 0013]*) that displays an adjustment table describing the items of adjustment detected by said adjustment item-detecting device (see *Drawing 7(A) [Abstract and paragraph 0019]*),

an adjustment item-selecting device (see *Drawing 5 wherein touch panel 512 in conjunction with LCD controller 508 receives user input about print settings of a particular print job*) that allows the user to select an item of adjustment on which adjustment should be executed, from the items of adjustment described in the adjustment table displayed on said display device (*paragraphs 0016 and 0019*), and

an adjustment executing device that executes adjustment on the item of adjustment selected by the user using said adjustment item-selecting device before the execution of a job is started (see *Drawing 8 wherein the start key which initiates the print job turns red to indicate that the user's adjustment selection cannot be performed prior to the user beginning the print job [Abstract and paragraph 0020]*).

Art Unit: 2625

5. **Claims 28 and 30** are rejected under 35 U.S.C. 102(e) as being anticipated by **Boyce** (U.S. Patent No. 6,873,425).

Referring to **claim 28**, Boyce discloses an image forming apparatus comprising:  
a registering device capable of registering a plurality of jobs (*see Fig. 2 wherein print jobs are created in step 28 [column 2, lines 60 – 62]*),

an image forming device (*see Fig. 1, printer 6*) that forms images corresponding to the jobs registered in the registering device (*column 2, lines 34 – 37*),

a discriminating device that discriminates between items for which maintenance is required and items for which maintenance is not required among maintenance items for the apparatus when all the registered jobs are executed (*see Fig. 2 wherein the resource requirements of the print job are evaluated in step 30 and then compared with the resources available at the printer 6 in step 32 before a decision is made [column 2, line 63 – column 3, line 10]*),

a display device that displays the items for which maintenance is required and the items for which maintenance is not required in different display manners according to the results of discrimination by said discriminating device (*see Fig. 2 wherein instructions to remedy the problem are displayed in step 38 [column 3, lines 15 – 30]*),  
and

a permitting device that permits start of execution of the registered jobs upon completion of maintenance on the items for which maintenance is required (*see Fig. 2 wherein the print job is held in printer storage device 18 until the deficiency is remedied in step 42 [column 1, lines 9 – 34 and column 3, lines 31 – 43]*).

Art Unit: 2625

Referring to **claim 30**, Boyce discloses the apparatus further wherein:

said image forming device comprises a plurality of image forming devices (*column 3, lines 8 – 10*), when a job is registered in the registering device, one of the image forming devices in which the job is loaded is set; and the discriminating device, the display device, and the permitting device are controlled so that the start of execution of the job associated with each of the image forming devices is permitted (*see Fig. 2, step 42 [column 1, lines 9 – 34 and column 3, lines 31 – 43]*).

Referring to **claims 25 – 27, 29 and 31**, these claims are objected to as being dependent upon rejected claims 24, 28 and 30.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Myles D. Robinson whose telephone number is (571) 272-5944. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler L. Haskins can be reached on (571) 272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



MDR

1/7/08



TWYLER LAMB HOPKINS  
SUPERVISORY PATENT EXAMINER